IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1284 OF 2005

Akhil Bharatiya Kamgar Sena .. Petitioner

versus

Modern Home Credit and Capital

Ltd.& ors .. Respondents

...

Mr.N.M. Ganguli for the petitioner.

None for the respondents.

CORAM : D.G. KARNIK,J.

DATED : 4th July 2005.

P.C.:

1. Heard learned counsel for the petitioner.

2. The workmen of the respondents are represented by Bombay Labour Union. Dispute as to the wages and other grievances of the workmen of the respondents were raised by Bombay Labour Union and two references were made u/s.10 of the Industrial Disputes Act. In the references, respondents - employers and Bombay Labour Union filed purshises stating that the

disputes have been settled and prayed for disposal of the references. Accordingly, the two references were disposed of by two separate orders dated 16th November 2004 and 5th December 2004. In view of the settlement, parties also agreed that the complaint of unfair labour practice filed by the Mumbai Labour Union should also be withdrawn and accordingly the complaint was also disposed of by an order dated 5th November. These three orders are impugned in this petition.

3. Petitioner has not shown what locus it has to challenge the said orders. In paragraph no.1, there is a vague statement that the petitioner represents workmen of the respondents. There are about 275 workmen employed under the respondents. In the whole of the petition, petitioner has not stated how many workmen it represents. The representative union has settled the disputes and it appears that the petitioner on behalf of a miniscal minority pollute the settlement. The settlement made by the Bombay Labour Union is binding on the workmen u/s.18 of the Industrial Disputes Act.

4. In the circumstances, petition is rejected.

D.G. KARNIK, J